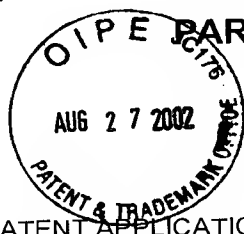


# IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Page 1 of 2



## PARTIAL FILING COMPLETION UNDER RULE 53(f)

(NOT PCT Applications)  
For Design, Provisional, or Utility Applications

PATENT  
APPLICATION

**PARTIAL COMPLETION Under**  
**Rule 53(f)**

Attn: Application Division

In re PATENT APPLICATION of

Inventor(s): Michael Rohan

Appln. No.: 09 993,966  
Series Code ↑ Serial No. ↑

Atty.Dkt. P 0280733  
M# Client Ref

Filed: November 27, 2001

Title: HUMAN AND NON-HUMAN PRIMATE HOMOLOGUS OF NKD PROTEIN, NUCLEIC ACID SEQUENCE  
ENCODING, AND USES THEREOF

Hon. Commissioner of Patents  
Washington, DC 20231

Date: August 27, 2002

Sir: The following partially completes the filing under Rule 53(f) of the above-identified patent application:

1. **Notice to File Missing Parts** ☒ copy attached ☐ not yet received
2. ☐ Signed Declaration attached. ☐ Original ☐ Facsimile/Copy

(Always "X" box 2 if filing signed Declaration and

"X" box 2A only if top box of the Declaration is X'd and file application copy, or  
"X" box 2B only if none of the top three boxes of the Declaration is X'd.)

- 2A. ☐ Attached: Original signed Declaration with attached specification (including claim(s)) which is a copy of specification and claim(s) originally filed to secure the above filing date.
- 2B. ☐ The original application as filed in the PTO on the above filing date is the application which each inventor executed by signing the attached Rule 63 Declaration.
3. ☐ Specification originally filed in non-English language; hence verified translation attached of:
  - a. ☐ Abstract
  - b. #  pages of Specification (only spec. & claims)
  - c. ☐ Drawing(s)  No of Sheets
  - ☐ Fig(s).
4. ☐ Letter filing formal drawing attached.
5. ☐ Attached is an assignment and cover sheet. Please return the recorded assignment to the undersigned.
6. **DOMESTIC/INTERNATIONAL** priority is claimed under 35 USC 119(e)/120/365(c) based on the following provisional, nonprovisional and/or PCT international application(s):

Application No.	Filing Date	Application No.	Filing Date
(1) 60/252,884	November 27, 2000	(2) 60/291,109	May 16, 2001
(3) 60/325,571	October 1, 2001	(4)	
(5)		(6)	

7. **FOREIGN** priority is claimed under 35 USC 119(a)-(d)/365(b) based on filing in

Application No.	Filing Date	Application No.	Filing Date
(1)		(2)	
(3)		(4)	
(5)		(6)	

Completion Under Rule 53(f)

9. \_\_\_\_\_ (No.) Certified copy (copies): ☐ attached; ☐ previously filed (date) \_\_\_\_\_  
in U.S. Application No. \_\_\_\_\_ / \_\_\_\_\_ filed on \_\_\_\_\_
10. Small Entity Status ☒ is Not claimed ☐ is claimed (file PAT-256 if this is the first claim of Small Entity Status)
11. ☒ Attached: Statement to Support Filing and Submission in Accordance with 37 CFR §§ 1.821-1.825 both paper and electronic form (disk); Amendment
12. ☐ Please see the attached Preliminary Amendment which reduces the number of claims for purposes of reducing the initial filing fee.

**THE FOLLOWING FILING FEE IS BASED ON CLAIMS AS FILED LESS ANY  
CHANGED BY PRELIMINARY AMENDMENT PER ITEM 12 ABOVE**

			Large/Small Entity		Fee Code
13. Basic Filing Fee . . . . . Design Application			\$330/\$165		106/26
Not Design Application			\$740/\$370	+0	101/201
14. Total Effective Claims		minus 20 =	x \$18/\$9	+0	103/203
15. Independent Claims		minus 3 =	x \$84/\$42	+0	102/202
16. If <u>any</u> proper multiple dependent claim (ignore improper) is present, (Leave this line blank if this is a reissue application)			\$280/\$140	+0	104/204
17. Surcharge for filing Declaration/filing fee late			\$130/\$65	+0	105/205
18.			<b>FILING FEE =</b>	<b>\$</b>	
19. <b>Original due date:</b> May 27, 2002					
20. <b>Petition is hereby made</b> to extend the <u>original</u> due date to			(1 mo) \$110/\$55 =	+920	115/215
cover the date this response is filed for which the requisite fee			(2mos) \$400/\$200 =		116/216
is attached			(3mos) \$920/\$460 =		117/217
			(4mos) \$1,440/\$720 =		118/218
21. If "non-English" box 3 is X'd, add Rule 17(k) processing fee . . . . .			\$130	+0	139
22. If "assignment" box 5 is X'd, add recording fee. . . . .			\$40	+0	581
23. Petition Fee for			\$130	+0	
24.			<b>TOTAL FEE =</b>	<b>\$920</b>	

**PLEASE CHARGE  
OUR DEP. ACCT.**

Our Deposit Account No. 03-3975

Our Order No. 014024

C#

0280733

M#

**CHARGE STATEMENT:** The Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any missing or insufficient fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and which may be required under Rules 16-18 (missing or insufficiencies only) now or hereafter relative to this application and the resulting Official document under Rule 20, or credit any overpayment, to our Account/Order Nos. shown in the heading hereof for which purpose a duplicate copy of this sheet is attached. This **CHARGE STATEMENT** does not authorize charge of the issue fee until/unless an issue fee transmittal form is filed.

**Pillsbury Winthrop LLP  
Intellectual Property Group**

P.O. Box 10500  
McLean, VA 22102  
Tel: (703) 905-2000

By Atty: Samir ElamraniReg. No. 43601Sig: 

Fax: (703) 905-2500  
Tel: (703) 905-2064

Atty/Sec: SE/DJM

NOTE: File in duplicate with PTO receipt (PAT-103A) and attachments



## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/993,966	11/27/2001	Michael Rohan	P 0280733 16337.003

00909  
PILLSBURY WINTHROP, LLP  
P.O. BOX 10500  
MCLEAN, VA 22102



CONFIRMATION NO. 8065

## FORMALITIES LETTER



\*OC000000007724502\*

Date Mailed: 03/27/2002

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 130.**

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because
  - drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. ( 5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);
  - Drawings must be reasonably free from erasures and must be free from alterations, overwritings, interlineations, folds, and copy marks.
  - drawings submitted to the Office are not electronically reproducible. Drawing sheets must be submitted on paper which is flexible, strong, white, smooth, non-shiny, and durable (see 37 CFR 1.84(e));
- This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at

63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at [patin21help@uspto.gov](mailto:patin21help@uspto.gov) or [patin3help@uspto.gov](mailto:patin3help@uspto.gov)

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*A copy of this notice MUST be returned with the reply.*

Y.G.  
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE